

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Big Stone Gap Division**

MELINDA SCOTT,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 2:18cv00012
)	
VIRGINIA DEPARTMENT OF)	
MEDICAL ASSISTANCE)	
SERVICES,)	
)	
Defendant.)	

PROTECTIVE ORDER

On October 1, 2018, Defendant Virginia Department of Medical Assistance Services (“DMAS”), by counsel, filed a Motion for Protective Order, ECF No. ____, pursuant to Rule 26(c)(1)(B) of the Federal Rules of Civil Procedure (“Rules”), asking this Court to enter an Order temporarily suspending initial disclosures and other discovery until the Court has adjudicated DMAS’s Motion to Dismiss, ECF No. 16, and specifically its entitlement to Eleventh Amendment immunity. Accordingly, it is **ORDERED** as follows:

1. DMAS’s motion is GRANTED;
2. Initial disclosures and discovery in this action are temporarily suspended until the Court rules on the Motion to Dismiss;

3. If the Court denies the Motion to Dismiss in whole or in part, the parties will exchange initial disclosures within fourteen days of entry of the Court's Order; and

4. If the Court denies the Motion to Dismiss in whole or in part, the parties may immediately seek discovery upon entry of the Court's Order, and discovery responses will be due within the times set out in the applicable Rules.

ENTERED: October ____, 2018

UNITED STATES MAGISTRATE JUDGE